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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

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Kazuki SATO et al.

OCT 22 2002

Group Art Unit: 2653

Application No.: 09/809,278

Technology Center 2600

Examiner: M. Blouin

Filed: March 16, 2001

Docket No.: 108964

For: MAGNETORESISTIVE ELEMENT SUBSTRUCTURE, MAGNETORESISTIVE ELEMENT AND MICRO DEVICE, AND METHODS OF MANUFACTURING SAME

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

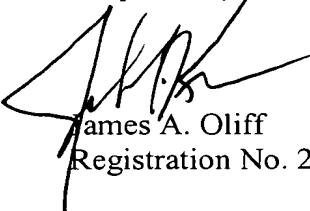
Sir:

In reply to the October 1, 2002 Restriction Requirement, Applicants provisionally elect Group II, claims 6-12, 17-23, and 25, with traverse.

It is also respectfully submitted that the subject matter of all claims 1-25 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

John S. Kern
Registration No. 42,719

JAO:JSK/kap

Date: October 21, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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